

FREEDOM COURT REPORTING

Page 135

1 time off February of '04, which you
2 spoke about, June of an unknown year,
3 and then February of '04 again after
4 your son's automobile accident;
5 correct?

6 A. Correct.

7 Q. And you were denied time off at that
8 time?

9 A. Yes, sir.

10 Q. Were you ever told why you were denied
11 time off for your son's accident?

12 A. Ms. D wasn't present and the
13 supervisor -- the person who was over
14 her when the accident happened while I
15 was at work, I went to that person and
16 I asked her could I leave.

17 Q. Who's that person, first of all?

18 A. Ms. Renee Snare.

19 Q. Renee Snare?

20 A. I think that's how she says her last
21 name.

22 Q. Snare?

23 A. Snare.

FREEDOM COURT REPORTING

Page 136

1 Q. And what did Ms. Snare say to you?

2 A. She said I may leave.

3 Q. Okay.

4 A. But when I called Ms. D to let her
5 know, she told me I did not ask her for
6 time or to leave.

7 Q. And that's true; right?

8 A. Right. But I asked the person over
9 here, because she was not present.

10 Q. Okay. That's fine. What's
11 discriminatory -- where's your
12 discrimination?

13 A. She told me I had to come back to work.

14 Q. Okay. Where is the discrimination?
15 How were you discriminated against?

16 A. Because there was people in other
17 situations that left and didn't . . .

18 Q. Okay. Let me ask it this way. When
19 Ms. Maye called you on the phone and
20 told --

21 A. I called her.

22 Q. Okay. You called her?

23 A. Yes.

FREEDOM COURT REPORTING

Page 137

1 Q. And she told -- what did she tell you?

2 (No immediate response given.)

3 Q. When you called her, what did she tell
4 you?

5 A. That I didn't have permission to leave.

6 Q. Okay. And what did you say?

7 A. That I had went to Ms. Renee, because
8 she wasn't present.

9 Q. Okay. And what did she say to that?

10 A. That I had to come back to work.

11 Q. Okay. What did you say?

12 A. That my son was in the hospital.

13 Q. Okay. What did you say after that?

14 A. What do you mean what did I say? I
15 told her my son was in the hospital and
16 I was unable to come.

17 Q. What did she say then?

18 A. I don't remember.

19 Q. Okay. I mean, were you somehow hurt by
20 this, injured by this?

21 A. No. What do you mean was I hurt?

22 Q. Well, I mean, I understand you all had
23 this conversation. What is the -- did

FREEDOM COURT REPORTING

Page 138

1 anything happen to you for missing that
2 time because of your son?

3 A. What do you mean did anything happen to
4 me?

5 Q. Well, I mean, did anything happen? You
6 took this time off because your son was
7 in an accident. I mean, were there any
8 repercussions for you doing that? Did
9 you suffer anything?

10 A. No, sir.

11 Q. Okay. Besides the -- are there any
12 other times where you requested time
13 off that you didn't receive besides
14 what we've talked about, besides
15 February '04 and the accident in
16 February of '04? Tell me about this
17 June, this unknown June, request. Tell
18 me about that.

19 A. Tell you what it was for?

20 Q. Yeah.

21 A. To take my daughter Timesha -- I have
22 an annual thing I have to do for human
23 resources.

FREEDOM COURT REPORTING

Page 139

1 Q. An annual thing you have to do for
2 human resources?

3 A. Right. Because Timesha is not legally
4 my child. She's, like, a guardian.
5 I'm her guardian, so I have to report
6 to human resources every June.

7 Q. Okay. And you requested time off to do
8 that; is that correct?

9 A. Yes, sir.

10 Q. And you were denied time off for that?

11 A. Yes, sir.

12 Q. Were you told why you were denied time
13 off?

14 A. I -- I don't remember.

15 Q. You don't recall why you were denied
16 time off?

17 A. No, sir. She just . . .

18 Q. I mean, is that a no?

19 A. Yes, sir.

20 Q. And you feel like you did not receive
21 time off in June of an unknown year and
22 twice in February because of your
23 gender, because you're female?

FREEDOM COURT REPORTING

Page 140

1 A. And there was other -- there was
2 Caucasian females that received time
3 off also.

4 Q. Okay. So you feel like you were denied
5 time off on these three occasions
6 because --

7 A. Race and gender.

8 Q. -- you're female; is that correct?

9 A. My race and gender, yes, sir.

10 Q. Because of your race and your gender?

11 A. Yes, sir.

12 Q. And that's because you feel like
13 Mr. Bronson received time off when he
14 asked for it; correct?

15 A. Yes, sir.

16 Q. Now tell me about this white female.
17 Who is this?

18 A. Miss Heather.

19 Q. Miss Heather?

20 A. Yes, sir.

21 Q. What's Miss Heather -- do you have her
22 full name?

23 A. No.

FREEDOM COURT REPORTING

Page 141

1 Q. So there's a -- is she employed with
2 ECDC?

3 A. Yes, sir.

4 Q. Was she -- what was her position?

5 A. She was a teacher.

6 Q. She was a teacher and she's a white
7 female?

8 A. Yes, sir.

9 Q. And she received time off at some
10 point?

11 A. She didn't show up for work.

12 Q. Who didn't?

13 A. Miss Heather.

14 Q. She didn't show up for work?

15 A. Yes, sir. And nothing happened to her.

16 Q. When?

17 A. I don't remember the year.

18 Q. You don't remember which year it was
19 in?

20 A. No, sir.

21 Q. But there was some -- a point in time
22 when --

23 A. Yes, sir.

FREEDOM COURT REPORTING

Page 142

1 Q. -- this teacher named Miss Heather
2 missed work?

3 A. Yes, sir.

4 Q. And was not punished?

5 A. Yes, sir.

6 Q. And that's your perception?

7 A. Yes, sir.

8 Q. Do you have any documents to back that
9 up?

10 A. No, sir.

11 Q. I mean, do you know if she was
12 punished?

13 A. Do I know if she was punished?

14 Q. Yeah. How do you know she wasn't
15 punished?

16 A. Because she came back to work the next
17 day.

18 Q. Well, there's other kinds of
19 punishment, though; right?

20 A. Sir?

21 Q. There's other kinds of punishment
22 besides firing her; right?

23 A. Yes, sir.

FREEDOM COURT REPORTING

Page 143

1 Q. So, I mean, she could have very easily
2 been punished and you just didn't know
3 about it; right?

4 A. Yes, sir.

5 Q. Okay. Same thing with Mr. Bronson, he
6 could have been punished and you just
7 didn't know about it; right?

8 A. Yes, sir.

9 Q. All right. Now, what other claims --
10 what other claims are you bringing?

11 A. I need to ask him. I'm trying to ask,
12 what do you mean?

13 MR. HURST: He's just asking
14 about the incidents. If these are all
15 you're bringing that you know of, then
16 that's fine.

17 Q. Right. I just need to know -- again,
18 this is your lawsuit, your claim that
19 you've been discriminated against, and
20 I need to know the instances. So far
21 all I've got is three instances that
22 other people -- that you feel like you
23 should have gotten some time off on

FREEDOM COURT REPORTING

Page 144

1 three instances because other people
2 got time off at other times. I need to
3 know what else you're bringing the
4 lawsuit on. What are your other
5 complaints?

6 A. I'm still not understanding.

7 MR. HURST: Like the maternity
8 leave. He's asking whatever you're
9 bringing, complaining about. If you
10 can't think of any more, just say, I
11 can't think of any more.

12 A. Can't think of any more.

13 Q. Okay. Are you still maintaining in
14 this lawsuit the claims that you made
15 in your EEOC complaint?

16 A. What are you --

17 Q. Are all the claims that you submitted
18 to the EEOC -- do you remember doing
19 that?

20 A. Yes, sir.

21 Q. Are you still maintaining those claims
22 now or are you releasing those claims?

23 MR. HURST: You're releasing

FREEDOM COURT REPORTING

Page 145

1 them.

2 A. Releasing them.

3 MR. GARRETT: So you're
4 releasing the claims in the --

5 MR. HURST: Yeah. I had
6 nothing to do with that.

7 Q. So for the record, you're no longer
8 bringing the claims that you did in
9 your EEOC complaint; correct?

10 A. Correct.

11 Q. Now, in your Complaint you've got
12 several causes of action. This is the
13 original Complaint, not your Amended
14 Complaint. The original Complaint, I
15 need to ask you about these, too, to
16 see if you're still bringing them.

17 There's a claim here in September
18 2003, payroll checks being opened and
19 read by plaintiff's supervisor. Are
20 you still bringing that claim with
21 regard to racial or gender
22 discrimination?

23 A. Yes.

FREEDOM COURT REPORTING

Page 154

1 Q. So any claims about the safety of
2 children are being waived?

3 A. Yes, sir.

4 Q. Okay. Same thing, September of 2003,
5 plaintiff expresses her concern of
6 several objectives regarding her right
7 to maternity leave.

8 A. Yes.

9 MR. HURST: We're bringing
10 that.

11 A. Bringing that.

12 Q. You're bringing that one?

13 A. Yes.

14 Q. Okay. Tell me about that one. What
15 are you talking about there?

16 (No immediate response given.)

17 MR. HURST: Tell him about
18 what's going on.

19 Q. You've got to tell me.

20 MR. HURST: Was there white
21 females that got time off? Just tell
22 him the story.

23 THE WITNESS: Oh, yes, sir.

FREEDOM COURT REPORTING

Page 155

1 A. There was -- there was a white female
2 who received time off for maternity
3 leave.

4 Q. First thing, who are we talking about?
5 Who's the white female?

6 A. Ms. Honey Williams.

7 Q. Honey Williams?

8 A. Yes.

9 Q. And when was this? When are you
10 talking about? What time?

11 A. The year, month ?

12 Q. I got to know. You've got to tell me
13 what you're talking about.

14 A. The year she was pregnant or I was
15 pregnant?

16 MR. HURST: When she was
17 pregnant.

18 A. Okay. When she was pregnant. '03.

19 Q. When in '03?

20 A. Ms. Honey Williams?

21 Q. I mean, I need to know what you're
22 talking about. I need to know what
23 you're suing me for.

FREEDOM COURT REPORTING

Page 156

1 A. I can just the year. The month --

2 Q. There is -- okay. There's a white
3 female at ECDC named Honey Williams.
4 She was pregnant in 2003. Is that what
5 you're telling me?

6 A. Yes, sir.

7 Q. So what are you angry about with her?

8 A. She received her time off for pregnancy
9 leave.

10 Q. How much did she receive off?

11 A. She had eight weeks.

12 Q. She got eight weeks off of work for
13 pregnancy?

14 A. Yes, sir.

15 Q. How do you know that?

16 A. She said she was -- she was -- she was
17 taking her maternity leave. She told
18 us when she left.

19 Q. So she told you, I'm going to be gone
20 for eight weeks on maternity leave?

21 A. Yes.

22 Q. Okay. Is Honey Williams a white lady?

23 A. Yes.

FREEDOM COURT REPORTING

Page 157

1 Q. All right. So she took eight weeks
2 off. All right. So what's that got to
3 do with you?

4 A. During my maternity leave, I requested
5 the time to take.

6 Q. So you requested eight weeks off?

7 A. The -- not on paper, you know, not on
8 the -- but I went to her to ask her
9 about my maternity leave, would I be
10 able to be off. But during my --

11 Q. Hold on. Let's just start -- did you
12 request time off for maternity leave,
13 first things first?

14 A. Yes, I asked about maternity leave.

15 Q. Okay. And were you given eight weeks
16 off for maternity leave?

17 A. Was I --

18 Q. Yeah. Were you given eight weeks off?

19 A. No, sir, not by them. By the doctor.
20 It was, like, health risk.

21 Q. What was like health risk?

22 A. My maternity. My maternity was. The
23 doctor took me off my feet.

FREEDOM COURT REPORTING

Page 158

1 Q. All right. When did he do that?

2 A. In December of '03.

3 Q. So the doctor told you in December of
4 '03 that you need to be off your feet?

5 A. Yes, sir, during my maternity leave.

6 Q. Okay. So what happened?

7 A. During my evaluation, she -- Ms. D had
8 written that I would not be returning
9 back to work after my maternity leave.

10 Q. Ms. D had written --

11 A. Yes.

12 Q. I'm confused. Did you request time off
13 for maternity leave?

14 A. Did I request time off?

15 Q. Yeah. Did you request time off for
16 maternity leave?

17 A. I asked about time off for maternity
18 leave.

19 Q. So that's a yes?

20 A. But -- yes.

21 Q. Who did you ask?

22 A. Ms. Darlene Maye.

23 Q. And when was that?

FREEDOM COURT REPORTING

Page 159

1 A. In '03.

2 Q. When in '03?

3 A. December. I would say December,
4 because the doctor took me off.

5 Q. So December of '03, doctor said you
6 need to be off your feet. You went to
7 Ms. Maye and requested time off; is
8 that correct so far?

9 A. The doctor took me off of my feet after
10 I requested the time off from
11 Ms. Darlene Maye, because she was . . .

12 Q. Okay. What did -- when you requested
13 time off, what did Ms. Maye say to you?

14 A. I -- I had to have a doctor excuse --

15 Q. Okay.

16 A. -- for the time off.

17 Q. Okay. Did you get one?

18 A. Yes, sir.

19 Q. Okay. Did you bring it back in?

20 A. Yes, sir.

21 Q. Okay. So did she deny your time off?

22 A. No, sir.

23 Q. Okay. So what's the problem? What's

FREEDOM COURT REPORTING

Page 160

1 your complaint?

2 (No immediate response given.)

3 Q. So far the doctor said you had to be
4 off your feet because you -- on
5 maternity leave.

6 A. Right.

7 Q. She said okay. I need to see a
8 doctor's notice -- I mean a doctor's
9 letter saying that. You brought her
10 the doctor's letter. She let you off
11 work. Right?

12 A. Right. This was before the doctor had
13 gave me that excuse I had asked her for
14 time off.

15 Q. Okay.

16 A. And she denied me the time off unless I
17 had a doctor's excuse.

18 Q. Okay. Is there anything wrong with
19 that?

20 A. The Family Leave Act gave me the time
21 off for my -- on maternity leave.

22 Q. Yeah.

23 A. But she was denying me that. But she

FREEDOM COURT REPORTING

Page 161

1 allowed Miss Honey to take hers.

2 Q. You weren't denied it. You went on
3 maternity leave.

4 A. I was denied until the doctor said I
5 had to go on maternity leave.

6 Q. And you're saying that you shouldn't
7 have had to bring in a doctor's note is
8 what you're saying?

9 A. Yes, sir.

10 Q. And you feel there's some law on that?

11 A. I don't know the law on that.

12 Q. So your claim is that you were
13 discriminated against by Ms. Maye
14 because she required that you show a
15 doctor's notice before allowing you off
16 for maternity leave?

17 A. Yes, sir. And she didn't require
18 Miss Honey a doctor note.

19 Q. How do you know that?

20 A. Miss Honey said she asked for her time
21 off.

22 Q. Yeah, but --

23 A. She told us.

FREEDOM COURT REPORTING

Page 162

1 Q. -- did Miss Honey tell you that she
2 didn't bring a doctor's note or that
3 she did?

4 A. No, she didn't.

5 Q. So you don't know one way or the other?

6 A. No, sir.

7 Q. Correct?

8 A. Correct.

9 Q. Okay. I mean, any other complaints
10 regarding your maternity leave?

11 A. No, sir.

12 Q. I mean, no complaints about the --
13 that's your only complaint, that you
14 had to bring a doctor's note to get
15 your time off?

16 A. Other complaints, what do you . . .

17 Q. Well, I mean, I just want to make sure
18 I've got it. With regard to the way
19 that you were treated for maternity
20 leave, is it your only complaint that
21 you were discriminated against because
22 you had to get a doctor's note to
23 initiate that time off? Is that your

FREEDOM COURT REPORTING

Page 163

1 only complaint?

2 A. Yes, sir.

3 Q. Okay. You don't have any complaints
4 about the amount of time you were off,
5 no complaints about pay? I mean,
6 that's your only complaint?

7 A. Yes, sir.

8 Q. Okay. What -- all right. In February
9 2005, plaintiff was refused time off
10 and threatened for continuing required
11 professional development and
12 advancement classes. Tell me about
13 that.

14 A. Those are the twelve hours that were
15 required that you have to stay in the
16 center you have to work on every year.

17 Q. Right. So what's your complaint here?
18 In February 2005, plaintiff was refused
19 time off and threatened for continuing
20 required professional development
21 advancement classes. What are you
22 talking about there?

23 A. The threatening part was that --

FREEDOM COURT REPORTING

Page 164

1 Q. First, what are you --

2 MR. HURST: Was it related to
3 race or discrimination -- race or
4 gender? If it's not --

5 THE WITNESS: Yes.

6 MR. HURST: That's related to
7 race?

8 Q. Or gender?

9 A. Read -- read it.

10 Q. It --

11 MR. HURST: It's a threat about
12 your twelve hours.

13 A. Oh, yes. Oh, yes.

14 Q. So that's --

15 A. Yes.

16 Q. Well, tell me about what you're talking
17 about. I mean, it says you were
18 refused time off.

19 A. Right.

20 Q. And threatened for continuing
21 development classes. Tell me about it.
22 What happened?

23 A. The refused time off was back with the

FREEDOM COURT REPORTING

Page 165

1 baby and threatened when -- that was
2 back with that.

3 Q. This says February of '05, now. That's
4 not -- that's well after your
5 maternity.

6 A. Right. This was back when the baby was
7 going to the doctor.

8 Q. I see. Those are two different --
9 okay. What's the threatening for
10 continued required professional
11 development classes? What are you
12 talking about there?

13 A. The twelve hours.

14 Q. What about the twelve hours? What do
15 you mean?

16 A. I was working on my twelve hours. I
17 was working and I was going --

18 Q. First of all, when? When were you
19 working? What dates or times? When
20 were you doing this?

21 A. During that year. And you have to do
22 it during --

23 Q. What year?

FREEDOM COURT REPORTING

Page 166

1 A. Of '05.

2 Q. Okay. So in 2005, you were working --

3 A. On my credit hours.

4 Q. -- on your credit hours. All right.

5 A. And while I was working on my credit
6 hours -- and I gave her proof that I
7 was working on my credit hours -- she
8 told me that if I didn't get my credit
9 hours by the end of February, I was
10 going to be terminated.

11 Q. Okay.

12 A. Now, we had Mr. Lamar, he was still
13 working on his. He was not threatened
14 to be terminated. We had Miss Heather
15 still working on hers. She was not
16 threatened to be terminated.

17 Q. How do you know that?

18 A. How do I know they was working on their
19 hours?

20 Q. How do you know they weren't threatened
21 to be terminated?

22 A. Because they were still being able to
23 go take theirs after the time she said

FREEDOM COURT REPORTING

Page 167

1 that I had to receive mine.

2 Q. Well, first of all, what -- you said
3 you were working -- when did she tell
4 you that you had to have your hours in
5 by February of '05? When did she tell
6 you that?

7 A. Before I was terminated.

8 Q. I know. But, I mean, when -- what day?
9 When did she tell you this? You said,
10 She told me I had to have my time in by
11 February of 2005, when did she tell
12 you?

13 A. I don't know the date. I knew it was
14 during '05.

15 Q. So at some time in 2005, Ms. Maye told
16 you -- February. It's only two months
17 into '05. So you're talking about --

18 A. You said date. I don't . . .

19 Q. I mean, again, it's your complaint.
20 I'm just trying to figure out what it
21 is that you think we've done wrong.
22 Okay? You said, Sometime in 2005, she
23 told you that you had to have your

FREEDOM COURT REPORTING

Page 168

1 hours in by February. All right?

2 That's only two months in the year. So
3 what I'm saying is, did she tell you
4 this in '04? Did she tell you in '05?

5 A. In '05.

6 Q. In January, early February?

7 A. No. Like a week before termination.

8 It was a week before she terminated me.

9 Q. When were you terminated?

10 A. March of '05.

11 Q. All right. So you were terminated in
12 March of '05. She told you at some
13 point that you had to have your hours
14 in by February of '05; right?

15 A. Right.

16 Q. This is before March -- January,
17 February, March.

18 A. Yeah. This is at the end. It was at
19 the end of February. It was a week
20 before I was terminated.

21 Q. Well, that would be end of March.

22 A. A week before.

23 Q. A week before when?

FREEDOM COURT REPORTING

Page 169

1 A. In February, that week, the last week
2 of February.

3 Q. Right. You were terminated in early
4 March?

5 A. Yes.

6 Q. And it's your claim that in the latter
7 part of February she told you you had
8 to have your hours in by February?

9 A. Yes. I needed four more hours.

10 Q. Okay. And did you know about this
11 termination date in February?

12 A. No, sir.

13 Q. Okay. Do you -- are you responsible
14 for keeping up with your hours every
15 year?

16 A. Yes, sir.

17 Q. And is the ECDC program or First United
18 Methodist or Ms. Maye responsible for
19 you doing your hours?

20 A. No, sir.

21 Q. And you knew they were coming due in
22 February; right?

23 A. They're due a year.

FREEDOM COURT REPORTING

Page 170

1 Q. Right.

2 A. Right.

3 Q. So you knew the February date before
4 she told you about it; right?

5 A. Right. But I had proof that I was
6 going to this date. I had my receipt
7 saying that I would receive these last
8 four hours. And she turned that
9 receipt down and said she didn't want
10 to see that. She wanted to see the
11 certificate, which wasn't going to be
12 held until March. The class was not
13 until March.

14 Q. Right. But it's your responsibility to
15 get your hours in; right?

16 A. Yes, sir. And I got them in.

17 Q. You got them in?

18 A. Yes, sir.

19 Q. When did you get the last four hours?

20 A. In March.

21 Q. So that's after the deadline?

22 A. Not with DHR. As long as you have a
23 receipt from DHR saying you've taken

FREEDOM COURT REPORTING

Page 171

1 your hours and that class is coming up,
2 then they would waive that.

3 Q. They would waive that?

4 A. Yes. They will come back and check
5 again, your records, to make sure that
6 I took that hour.

7 Q. Okay. So it's your testimony you
8 believe that DHR will allow you to not
9 fulfill your certificate hours within
10 the deadline time if you have some kind
11 of proof --

12 A. Yes, sir.

13 Q. -- that you are signed up to take
14 enough hours after the deadline has
15 passed to be certified?

16 A. Yes, sir.

17 Q. Okay. Now, it's your testimony that --
18 did you show that to Ms. Maye --

19 A. Yes, sir.

20 Q. -- the receipt?

21 A. I did.

22 Q. And what did she tell you?

23 A. She didn't want to see that. She

FREEDOM COURT REPORTING

Page 172

1 wanted to see the certificate.

2 Q. What did you say?

3 A. I said that I couldn't receive the
4 certificate until March. I had the
5 receipt that I can show her that I was
6 taking this class.

7 Q. Why were you limited to just this one
8 class in March?

9 A. I had already took all the other ones.

10 Q. So there was no other available hours
11 anywhere for you to get?

12 A. I had took all my other hours.

13 Q. I understand. But I'm saying, were
14 there other ways for you to get hours
15 aside from this one March session you'd
16 signed up for?

17 (No immediate response given.)

18 Q. In other words, instead of waiting
19 until March, you could have gone
20 somewhere else and got them; right?

21 A. Not at that time, no.

22 Q. You couldn't?

23 A. Uh-uh. (Witness shakes head.)